**The American Judicial System**

|  |  |  |
| --- | --- | --- |
|  | **Criminal:** | **Civil:** |
| Involved Parties | * Only the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ - or State - can bring a case against someone * They are the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | * Any individual or organization that believes they have been \_\_\_\_\_\_\_\_\_\_\_\_\_\_, denied civil rights, or have been damaged can bring a case, and become the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Burden of Proof | * \_\_\_\_\_\_\_\_\_\_\_\_\_: “beyond a reasonable doubt”   + About 98% likelihood of guilt * Always on the state | * \_\_\_\_\_\_\_\_\_\_\_\_\_: probably guilty   + More than 50% likelihood of \_\_\_\_\_\_\_\_\_\_ * Mostly on the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| Punishment | * Includes \_\_\_\_\_\_\_\_\_\_\_\_\_, incarceration, and even execution * Depends on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, or felony | * \_\_\_\_\_\_\_\_\_\_\_\_\_ can result in jail time. * \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ fines or some sort of legal action. |

Types of Jurisdiction

|  |  |
| --- | --- |
| **Federal Jurisdiction** | * Cases that arise under a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ law (called “federal question” cases): * Ex. a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ organization sues a restaurant chain for a policy of discouraging minorities from eating there |
| **State Court Jurisdiction** | * Mostly deal with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ laws * Hear cases involving events that took place in the state where the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ sits or if defendants reside in or are served with a summons & complaint in that state. |
| **Concurrent Jurisdiction** | * Many state cases can go in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ federal or state. * If a case can be heard in either, it is said to have \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ jurisdiction. |
| **Appellate Jurisdiction** | * To hear a case on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (or for a 2nd time). * Only the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ can appeal a case in a criminal case * The prosecution retrying a case is known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and is prohibited by the constitution. |
| **Supreme Court Jurisdiction** | * Affecting \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and other public ministers and consuls * Disputes between the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ * Issues that took place at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ * Controversies to which the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ is a party |

Cases That Can be Appealed

* Criminal: only by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ can never appeal a decision.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ cases can be appealed by either party, plaintiff or defendant

Reasons for Appeal

* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ have been violated during the trial.
* Ex. You did not receive proper \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ was biased
* The evidence that was used against you was unconstitutionally found.
* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the law
* Discovery of new \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Appeals

* Once the case has been heard in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ courts, the loser can make an appeal to the Supreme Court.
* The Supreme Court gets on average, over \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ petitions a year
* Justices \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on which ones they want to hear
* Only hear less than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ cases a year.